

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KEVIN ARNAZ WHALEY-EL,

Plaintiff,

Case No. 22-12725

v.

Hon. George Caram Steeh  
Hon. Elizabeth A. Stafford

MICHIGAN DEPARTMENT  
OF CORRECTIONS, *et al.*,

Defendants.

\_\_\_\_\_ /

ORDER ADOPTING REPORT AND  
RECOMMENDATION (ECF NO. 24)

On September 11, 2023, Magistrate Judge Elizabeth A. Stafford issued a report and recommendation proposing that the court grant Defendants' motion for partial summary judgment. No timely objections have been filed.

With respect to reports and recommendations from magistrate judges, this court "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1)(C). The court "may accept, reject or modify, in whole or in part, the findings or recommendations made by the magistrate." *Id.*

Upon review of the report and recommendation, and having received no objection, the court agrees with Magistrate Judge Stafford's analysis and conclusions.

Therefore, IT IS HEREBY ORDERED that Magistrate Judge Stafford's report and recommendation (ECF No. 24) is ACCEPTED and ADOPTED as the order of the court.

IT IS FURTHER ORDERED that Defendants' motion for partial summary judgment (ECF No. 17) is GRANTED and Plaintiff's retaliatory transfer claim is DISMISSED WITHOUT PREJUDICE.

Dated: October 10, 2023

s/George Caram Steeh  
HON. GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on October 11, 2023, by electronic and/or ordinary mail and also on Kevin Arnaz Whaley-EI #155829, Lakeland Correctional Facility, 141 First Street, Coldwater, MI 49036.

s/Michael Lang  
Deputy Clerk